IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 28TH NOVEMBER 2007 / 7TH AGRAHAYANA 1929

WP(C).No. 34853 of 2007(Y)

PETITIONER:

MRS. RABIYATHUL ADABIA HARIS,
HAISNA, POOTHAPPARA,
AZHIKODE, KANNUR-9.

BY ADV. SRI.C.K.SREEJITH

RESPONDENTS:

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1. THE DEPUTY CHIEF ENGINEER,
ELECTRICAL DEVISION, KANNUR.

2. THE KERALA STATE ELECTRICITY BOARD,
REPRESENTED BY ITS CHAIRMAN, TVM.

3. THE ELECTRICAL SECTION, K.S.E.B.,
AZHIKODE, KANNUR DISTRICT.

4. ASSISTANT EXECUTIVE ENGINEER METERS,
TMR DIVISION, SHORNOOR.

BY SHRI.P.P.THAJUDEEN, SC, KSEB

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 28/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 34853 of 2007

Dated, this the 28th day of November, 2007

J U D G M E N T

Petitioner is challenging regular electricity bill raised after giving a new connection to the petitioner. Since petitioner has to raise objections before the Assistant Engineer under Section 126(3) of the Electricity Act 2003, petitioner is directed to file objection along with a copy of this judgment before the Assistant Engineer. The Assistant Engineer will treat Ext.P1 as a provisional bill, hear petitioner's objections and finalise the bill. If any reduction is called for, the same will be granted to the petitioner. If petitioner is not entitled the same, he will give reasons in support of the bill. If petitioner has any grievance against the bill so finalised, he can file appeal under Section 127 of the Act against the same. There will be direction to the respondents not to disconnect supply, if petitioner pays 50% of the disputed bill within a period of three weeks from now. If 50% of the disputed bill is paid as above, payment of balance 50% will remain stayed until bill is finalised by the Assistant Engineer as directed above. Thereafter, recovery will be based on revised bill.

(C.N.RAMACHANDRAN NAIR, JUDGE)

jg